

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

CRIMINAL REVISION APPLICATION No 516 of 1998

For Approval and Signature:

Hon'ble MR.JUSTICE R.P.DHOLAKIA

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1. Whether Reporters of Local Papers may be allowed to see the judgements?
  2. To be referred to the Reporter or not?
  3. Whether Their Lordships wish to see the fair copy of the judgement?
  4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder?
  5. Whether it is to be circulated to the Civil Judge?
- 1 to 5- No

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STATE OF GUJARAT

Versus

MAGANBHAI HIRABHAI PARMAR

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Appearance:

MR SA PANDYA, APP for Petitioner

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CORAM : MR.JUSTICE R.P.DHOLAKIA

Date of decision: 12/03/99

ORAL JUDGEMENT

The State has preferred this Criminal Revision Application against the order passed by the Special Judge, Surat rejecting the application submitted by the P.I., ACB, Surat, on 13-7-1998 for police custody of the respondents-accused.

2. It is the case of the prosecution that one Shri Bharatbhai Chandubhai Vasava, resident of Dahere Falia,

Vadi Village, Tal. Mangrol, Dist. Surat had lodged one complaint before the ACB Police at Surat against the present respondents-accused stating that they are demanding and accepting illegal gratification. After verifying all the necessary formalities, ACB Police has arranged a raid on 12-7-1998. It is also the case of the prosecution that during the raid, respondents-accused were caught red-handed while accepting illegal gratification of Rs.15,000/- in the presence of panchas, and, therefore, offence under secs.7, 12, 13(1)(d) and 13(2) of Prevention of Corruption Act were registered against them and they were produced before the Court of Special Judge, Surat. Thereafter, an application was submitted by the ACB Police on 13-7-1998 for Police custody of the respondents-accused, but the same was rejected by the Court below. Therefore, the present Criminal Revision Application is filed.

3. At the stage of admission, learned APP, Mr.S.A.Pandya has fairly admitted before this Court that in this case, investigation is over since long and Police must have submitted the charge-sheet in the Court below and, therefore, this revision application has become infructuous.

4. This Criminal Revision Application is, therefore, rejected only on the ground of it being infructuous.

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